

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES of AMERICA,
Respondent,

vs

GRANT W. NORWOOD,
Movant.

§
§
§
§
§
§
§
§
§
§

CAUSE NO. 4:12-CR-182

TO THE HONORABLE JUDGE OF SAID COURT:

MOTION FOR THE TWO POINT REDUCTION PURSUANT TO
AMENDMENT 782 TO THE UNITED STATES SENTENCING GUIDELINES

Now comes Grant W. Norwood, Movant, pro se and files his Motion for the Two (2) Point Reduction pursuant the United States Sentencing Commission's Amendment 782 to the Drug Quantity Table, 2D1.1(c). Applying Amendment to the Drug Quantity Table, §2D1.1(c) which went into effect November 1, 2014 and the resulting change will effect Movant's sentence. Amendment 782 to the Sentencing Guidelines §2D1.1(c) applies to Movant sentence and will reduce his sentence by two (2) Sentencing Levels.

JURISDICTION

This Court has jurisdiction pursuant to Title 18 U.S.C. §3582(c)(2) which allows the Court to make changes in a defendant's sentence whenever there is an amendment to the Guidelines such as the one Movant now asks for.

RELEVANT FACTS OF THE CASE

Movant was apprehended and charged with 3Kg. of 3,4 Methylenedioxy and N. Methylcathinone. Pursuant to the United States Sentencing Guidelines, Drug Quantity Table, §2D1.1(c) this amount resulted in a Base Offense Level of 31. With the other adjustments Movant's Total Offense Level was set at Level 28, Category I, which has a sentencing range of 78 months to 97 months. While Movant did indeed receive a binding plea, the sentencing guidelines were taken into consideration during negotiations. In the end, Movant was sentenced to the high end of the guidelines and received 96 months.

Movant requests that the Court resentence him pursuant to the changes made by the United States Sentencing Commission to the United States Sentencing Guidelines, §2D1.1(c) which went into effect on November 1, 2014. Applying Amendment 782 to §2D1.1(c) will change Movant's sentence from a Base Offense Level of 31 to a new Base Offense Level of 29. Movant's Total Offense Level will change from a Level 28 to a Level 26. Pursuant to the amended §2D1.1(c) Movant's new sentencing range will be 63 months to 78 months. Movant requests that the Court reduce his sentence from 96 months to 63 months. This sentence would be at the low end of the new guidelines. Movant ask that the court be mindful of the following when considering the request for the low end.

RESENTENCING CONSIDERATIONS

The Supreme Court in Pepper v United States, 562 U.S. ____ (2011) discussed considerations for postsentencing rehabilitation and how the Court

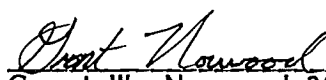
should take the defendant's character and actions into account when calculating the new sentence. Although Pepper dealt with a different procedure Movant claims it is analogous to this resentencing. Movant would request that the Court consider the following facts when calculating the new sentence:

Movant has participated in Adult Continuing Educations programs offered through the Federal Bureau of Prisons. The list of rehabilitative classes taken by Movant include Business classes, Accounting classes, and Family oriented classes as well as classes preparing him to reenter the workforce. Movant has been working toward his Associates Degree through Adams State University. Movant has also completed the 80 hour Rossetta Stone German course as well as the Parenting I course offered through the B.O.P. In addition, Movant has made efforts to address his addiction by completing the 40 hour Drug Awareness and remaining active in AA.

During Movant's incarceration he has been a model prisoner. Movant has worked his way from a Low Security Unit down to a camp with "out custody" status. Movant has achieved this status due to the lack of any violent history and by continuing to maintain a spotless conduct record. Movant reports to to his work detail daily where he has consistently received positive job reviews.

For these reasons Movant requests that this Honorable Court grant the requested sentence reduction and resentence him to a sentence of 63 months.

Respectfully Submitted


Grant W. Norwood 20242-078
F.P.C. Beaumont Camp Unit GB
P.O. Box 26010
Beaumont, TX. 77720